

Policy 1-6 COUNCIL RULES OF PROCEDURE

COUNCIL POLICY NO. 1-6

DISTRIBUTION: Mayor and City Council
All Departments

SUBJECT: CITY COUNCIL RULES OF PROCEDURE

PURPOSE: To provide for orderly conduct of meetings of the Lawton City Council

BACKGROUND: Lawton City Charter, Section 2-11, provides that the City Council may determine its own rules. Rules are hereby established.

POLICY/

PROCEDURE: Council Policy determining rules of procedure is adopted as an exhibit and addresses the following issues:

1. Time of Meetings
2. Agenda
 - a. Preparation of the Agenda
 - b. Agenda Items
 - c. Order of Business
3. Presiding Officer
4. Quorum
5. Conduct of Meeting
 - a. Discussion
 - b. Motions
 - c. Roll Call Votes
 - d. Number of Votes Required
 - e. Reconsideration of Items
 - f. Public Hearing
 - g. Absence of Council Member
 - h. Staff Attendance
 - i. Appointment of Council Committees
 - j. Advisory Non-Voting Representative/Liaison
 - k. Meeting Decorum/ Maintaining Order
6. Minutes
7. Committees

The latest revision of Roberts Rules of Order is incorporated into these rules, and shall govern all matters not specifically addressed in these rules. These rules, except those required by law or charter, may be temporarily suspended for consideration of a particular subject by two-thirds (2/3) vote of the Council members present.

References: Lawton City Charter

Effective Date: September 22, 2020

Responsible Department: City Attorney


STAN BOOKER – MAYOR

COUNCIL RULES OF PROCEDURE

COUNCIL POLICY 1-6

RULES OF PROCEDURE LAWTON CITY COUNCIL

1. TIME OF MEETINGS

Regular meetings of the Council shall be held in the Council Chambers, Wayne Gilley City Hall, on the second and fourth Tuesdays of each month beginning at 2:00 p.m. Provided, however, that the Council may, by resolution, reschedule any of its regularly scheduled meetings. Special meetings of the Council shall be called in accordance with the provisions of the Charter. Meetings shall adjourn no later than 11:00 p.m.; except, upon majority vote of those members of the Council present, any meeting of the Council may be extended until midnight of the day of the meeting.

All meetings, regular and special, shall be open to the public, and no person shall be barred unless he is disorderly or refuses to obey the order of the presiding officer, who may order the Chief of Police or any attending police officer to eject any such person. There shall be at least one police officer present at each Council meeting. The Council may meet in executive session only as authorized by the City Charter and Oklahoma State Statute.

(Charter 2-7. Council: Meetings the Council shall hold at least two (2) regular meetings every month, at such time as prescribed by ordinance or otherwise. The Mayor or any five (5) council members may call special meetings. All meetings of the Council shall be held and conducted as authorized by the Oklahoma Open Meeting Act. In determining the time of Council meetings, the Council shall consider the public convenience.)

2. AGENDA

A. Preparation of the Agenda

An agenda for each meeting of the Council shall be prepared by the Mayor to ensure that City business is conducted in an efficient manner. No item shall be voted on without having been placed on the agenda, unless it meets the definition of "New business" as defined by the Oklahoma Open Meeting Act, 25, *O.S. 311 A(9)*, and which must be acted upon before the next regularly scheduled meeting and could not have been foreseen

B. Agenda Items

- a. All Agenda Items shall be provided to the City Clerk in the format as shown on Exhibit A or Exhibit B to this policy in both hard copy and electronically.
- b. Agenda Items submitted to the City Clerk by a Department Director shall be submitted by close of business of the second Friday prior to the Council meeting at which the item is to be considered.
- c. Agenda Items submitted to the City Clerk by the Mayor, a Councilmember, the City Manager or the City Attorney shall be submitted as provided in two above except that on matters that are of an urgent nature the City Clerk shall accept items from the Mayor, a Councilmember, the City Manager or the City Attorney

through noon Tuesday, 7 days prior to the Council meeting at which the item is to be heard.

- d. Addendums to the Council's Agenda will not be accepted by the City Clerk and posted unless it is of an urgent nature requiring immediate consideration and the subject matter of the addendum must be acted in prior to the next regularly scheduled meeting of the Council. The Mayor shall have the authority to approve any item that is requested to be placed on an addendum.
- e. Agenda Items may only be submitted for placement on the agenda by the Mayor, a member of the Council, the City Manager, the City Attorney, the City Clerk. The Municipal Judge, a Department Director with the approval of the City Manager. Agenda Items submitted by other individuals or organizations shall not be accepted by the City Clerk.

C. Order of Business

The order of business shall be as follows:

- I. Call to order
- II. Invocation, Pledge of Allegiance
- III. Roll Call
- IV. Mayor/City Council Reports
 - a. Reports should be limited to matters of general interest to the entire council
 - b. Items included in this section cannot be voted on by council, but guidance can be provided.
- V. Awards and Special Recognition
- VI. Audience Participation:
 - a. Council shall not vote on items presented during this section of the meeting.
 - b. The audience participation portion of each council meeting shall be for a maximum of thirty minutes.
 - c. Each person speaking during the thirty-minute period should have a maximum of three (3) minutes to state his business.
 - d. Each subject should have a maximum of nine (9) minutes.
 - e. After such time as the individual or the discussion of a particular subject is completed, council may give guidance on the item or council may recommended to the individual or group as to what action they should take, i.e., refer situation to a particular department or person at the city offices.
- VII. Minutes
- VIII. Consent Agenda:
 - a. Council shall act on all items in this section by a single motion and roll call vote, subject to questions, discussion, or the right of any member to remove any items for individual action.
 - b. Items on the consent agenda shall include, but not be limited to consideration of the following:
 - i. Preliminary plans and authorization for preparation of final plans and specifications;
 - ii. Final plans and authorization for advertisement of bids;

- iii. Acceptance of final plats and improvement;
 - iv. Easements, acceptance or dedication;
 - v. Set dates for public hearings;
 - vi. Internal funds transfers requiring Excise Board approval and/or Supplemental Appropriates;
 - vii. Acceptance of annual audit reports;
 - viii. Annual lease agreements at city lakes;
 - ix. Acknowledge receipt of State Health Permits;
 - x. Award bids and authorize contract execution;
 - xi. Reject bids and authorize re-advertisement;
 - xii. Mayor and Council appointments;
 - xiii. Damage claims (approvals, denials);
 - xiv. Payroll claims
- IX. Unfinished Business
- X. Business Items
 - a. Items requiring individual action: in setting the order of these items, the presiding officer shall give priority to:
 - i. Public hearings.
 - ii. Matters that may attract a large number of citizens or interested parties.
 - iii. Matters submitted by members of Council.
 - iv. Items which may require discussion or explanation.
 - v. Items where an ordinance is proposed for adoption.
- XI. Executive Session
- XII. Adjournment

(Charter, Sec. 2-2 a.... The Mayor... shall prepare and propose agenda for Council meetings.)

3. PRESIDING OFFICER

The presiding officer for each meeting shall be the Mayor, or in his absence, the Mayor Pro Tem. If both the Mayor and Mayor Pro Tem are absent, the council member most senior in service on the council shall initially preside for the purpose of calling the meeting to order and election a presiding officer who shall then preside over the remainder of the meeting.

(Charter, Sec. 2-2 a. The Mayor shall preside at meetings of the Council ... b. ...The Mayor Pro Tem shall act as Mayor during the absence, disability, or suspension of the mayor, ...)

4. QUORUM

A quorum authorized to conduct business shall consist of a majority of all members elected to and constituting the Council. Less than a quorum may adjourn from day to day.

(Charter, Sec. 2-11. A majority of all of the members of the Council shall constitute a quorum, but a smaller number may adjourn from day to day or from time to time. ...)

5. CONDUCT OF MEETINGS

Request to speak forms shall be available for persons to indicate to the presiding officer their desire to address the Council. The presiding officer will announce that such request has been received. Council will consider receiving public comment at that time.

A. DISCUSSION

Discussion of agenda items shall be in the following order:

1. City Manager and/or City Staff: After the presiding officer calls the particular agenda item for consideration, the City Manager and/or staff shall present any matters in addition to the printed agenda commentary which may be pertinent to the item.
2. Public Participation: During public hearings, citizens and interested parties may address the Council subject to reasonable time limitations to expedite Council business. On all other matters, public participation shall be at the discretion of the Council.
3. Council Members: After the staff and public have presented their views, the City Manager, presiding officer and Council shall proceed to discuss the merits of the issue; this portion of the discussion shall be limited to the City Manager, presiding officer and Council unless the presiding officer or Council determines additional information is needed from the staff or public at that time.

No member shall speak without recognition from the presiding officer.

Each person addressing the Council shall address remarks to the Council rather than to a specific member.

Discussion shall be limited to the matter presently before the Council. Speakers shall confine their remarks to the merits of the particular measure and avoid comments which would tend to embarrass other persons or attack their motives.

Questions may be submitted by a Council member to a speaker after his/her formal presentation. Questions may be submitted only through the presiding officer and shall be limited to the merits of the issue.

B. MOTIONS

After preliminary discussion of an agenda item, the presiding officer shall call the matter for determination by the Council.

1. Main Motion: Any Council member desiring to offer a motion shall request recognition from the presiding officer.
2. Seconding Motions: Any Council member desiring to second motions shall request recognition from the presiding officer.

3. Special Courtesy: Where a matter is of special concern to a particular Council member, he may, prior to the beginning of the meeting, advise the presiding officer of his desire to offer or second the motion on that particular agenda item. Absent conflicting requests, the presiding officer shall so recognize the requesting member for the purpose of submitting the motion or second. In the event of conflicting requests, the presiding officer may recognize any one of the requesting Council members if they are unable to resolve the conflict among themselves.
4. Lack of Motion or Second: If no member offers a motion, the presiding officer shall again call for motions; if no motion is presented after the second calling, the presiding officer shall declare the item fails for lack of motion. Similarly, if no one seconds another member's motion, the presiding officer shall declare that the motion fails for lack of a second.
5. Debate of Motions: Upon a motion having been offered and seconded, the presiding officer shall state the motion and submit it for further debate by the Council if desired. Debate shall be limited to the merits of the agenda item, and addressed to the presiding officer.
6. Amendments to Motions: A member may move to amend the motion, which shall require a second. An amendment must be germane to the main motion. To avoid confusion, a third amendment shall not be permitted; however, a member may, in the course of debate on the amendment, announce that if the amendment fails, he intends to introduce another amendment and may briefly state the nature and content thereof.
7. Previous Question: A member may move the previous question (2/3 vote required-stops debate and order an immediate vote).
8. Reconsider: A member may move to reconsider the vote by which ...was voted. (In order same day motion was made and mover must have voted with the majority; or, in order at next meeting if mover was absent at previous meeting and votes of absentees could affect outcome.)
9. Ordinances: A member may move to adopt an ordinance, waive reading of the ordinance, reading only the title, and declare an emergency if applicable.

(Charter, Sec. 2-13 Ordinance: Passage. Every proposed ordinance shall be read ...)

After allowing a reasonable but not unduly lengthy time for debate of the motion, the presiding officer shall put the question to a vote.

C. ROLL CALL VOTES

The clerk shall call the roll of Council members present, and record each vote. Council members may vote "yes", "no", or "abstain". A Council member may not pass. The presiding officer will announce the vote or he shall request the clerk to announce the vote. A Council member may change his vote only before the results of the vote are announced by the presiding officer. Amendments shall be voted on prior to the main motion, with secondary amendments voted on prior to primary amendments.

(Charter, Sec. 2-11. ... The vote on any question shall be by roll call, and shall be entered in the journal. A councilmember may abstain from voting in which case the abstention shall constitute

neither a negative nor affirmative vote. The passage of an ordinance or resolution shall require at least five (5) affirmative votes.)

D. NUMBER OF VOTES REQUIRED

When an item requires five (5) or more affirmative votes for passage, and one or more members of the Council are absent from the meeting where the item is originally considered, if not approved, such item shall be continued or rescheduled for a vote thereon at the next meeting of the Council in the following instances:

1. When the question requires five (5) affirmative votes and there are less than three (3) votes in opposition to the question;
2. When the question requires six (6) affirmative votes and there are less than two (2) votes in opposition to the question.

(Charter, Sec. 2-2. When the Mayor is absent and the question before the Council requires five (5) affirmative votes for passage and the votes cast result in a tie of four (4) affirmative votes and four (4) negative votes, the matter will be continued or rescheduled for the next regular meeting of the Council when the Mayor will be in attendance. Charter, 2-11 ... The passage of an ordinance or resolution shall require at least five (5) affirmative votes.)

E. RECONSIDERATION OF ITEMS

An item previously decided by the Council may be placed on the agenda as a new item of business under the following circumstances:

1. When the vote by the Council occurred at least six (6) months before the item again appears on the agenda;
2. Annually, when Council members have been sworn into office and the item was voted on by the previous administration;
3. When the vote(s) of absent Council member(s) could change the outcome of the matter previously voted on.

F. PUBLIC HEARING

When the agenda item requires a public hearing, the presiding officer shall request staff comment, allow for questions by the council, open the public hearing for public comment, and close the public hearing.

G. ABSENCE OF COUNCIL MEMBER

In the event that a Council member anticipates to be absent from a special or regular meeting of the Council, said Council member may indicate how such member would have voted on an issue before the Council had the Council member not been absent from such meeting. In such event, a Council member who plans to miss a meeting of the Council or miss a roll call vote on an item before the Council could state, for the record, how the Council member would have voted had the

Council member not missed the meeting or the roll call by giving his or her vote to the City Clerk before the meeting. After the results of the vote have been announced, the City Clerk will then read and enter into the record how such member would have voted had he or she not missed the meeting or the roll call. Provided, however, that the Council member's intended vote shall not count for the purpose of passage or non-passage of the issue before the Council for which the intended vote was entered into the record. The City Clerk shall enter into the official minutes of the Council the name of the absent Council member, the intended vote of the absent Council member, and that the intended vote was not considered in deciding the issue before the Council for which the intended vote was recorded.

H. STAFF ATTENDANCE

The City Manager, City Clerk and City Attorney (or their assistants) shall attend all regular and special Council meetings. Attendance of other City personnel shall be required only when there are agenda items which affect their particular responsibility.

I. APPOINTMENT OF COUNCIL COMMITTEES

On his own determination, or on a vote of Council, the Mayor may appoint a special committee of the Council to investigate and study a particular matter in depth and report its findings and recommendations to the Council. Each committee shall consist of a minimum of a chairman and two other members. If requested by the special committee of the Council, the City Manager shall appoint a member of the City staff to serve in a non-voting capacity to assist the committee.

Meetings of committees are subject to compliance with the Open Meeting Law. The Committee's report shall be submitted to the Council for action.

J. ADVISORY NON-VOTING REPRESENTATIVE/LIAISON

On motion and with approval of the majority of the entire Council, advisory non-voting representation may be extended to a representative/liaison of any government agency whose principal place of business and the conduct of its principal operations are located within the corporate limits of the City of Lawton, Oklahoma. The seating arrangement to accommodate the agency's representative/liaison to the Council shall be as determined by the Council.

The invited agency shall select its representative/liaison to attend meetings of the Council.

The agency's representative/liaison may ask to be recognized by the Mayor to participate in debate on matters of interest to the agency. The privilege does not in and of itself open the item to public discussion without the permission of the council as provided in Section 5.A.2 of these rules. The agency's representative/liaison shall not be entitled to vote on any matter before the Council nor shall the agency's representative/liaison attend or be present at any executive session of the Council.

The agency's representative/liaison will be provided an agenda packet for each Council meeting without charge. The representative/liaison may submit an agenda item for Council consideration to the Mayor or any Council member.

K. MEETING DECORUM/ MAINTAINING ORDER

1. Governing Body

In furtherance of the stated purpose of this policy, all members of the governing body are expected to conduct themselves during Council meetings in a dignified and orderly manner. Threats, personal attacks, demeaning comments, negative comments about private business or financial matters, yelling and the like are strictly prohibited. In the event of such conduct/statements, the Mayor shall make reasonable attempts to regain control of the meeting. If the Mayor is unable to promptly do so, the meeting shall be recessed for a “cooling-off” period. After a short recess, the Mayor shall re-open the meeting and continue the conduct of business. If order in the meeting has not been restored after the “cooling-off” period, the meeting may be continued to another date and time certain upon motion and a vote of the Council. In no event will a member of the governing body be removed from the meeting area while the meeting is still in active session.

2. Audience

Interaction between members of the governing body and the audience while a meeting is in session shall occur in accordance with the provisions of this policy, or if not addressed in this policy, in accordance with Roberts Rules of Order incorporated herein by reference. Any members of the audience making threats, engaging in personal attacks, making demeaning comments, yelling or otherwise disrupting the orderly conduct of the meeting shall be warned by the Mayor to cease and desist, or they will be removed from the meeting at the direction of the Mayor. Any audience member(s) who fails to cease and desist shall be removed. Non-verbal gestures by audience members such as shaking one’s head, shrugging of the shoulders, thumbs down and the like will not be considered grounds for a warning or removal from the meeting.

6. MINUTES

Minutes of each meeting of the Council shall be prepared by the Clerk and submitted to a subsequent Council meeting for approval. The minutes shall summarize the Council's deliberations and record the action of the Council on each item. The Clerk shall maintain a record of the approved minutes.

7. COMMITTEES

Committees may be created to study a particular issue or matter in depth and report their findings and recommendations to the City Council. The composition of the committee will be determined based on the nature of the subject matter being reviewed and may include Council members only, citizens only, or a combination thereof. If requested by the Council, the City Manager shall appoint a member(s) of the City staff to serve in a non-voting capacity to assist the committee. Each committee shall consist of a minimum of a chairman and two (2) other members.

1. Council Member Committees

By majority vote of the Council or on determination of the Mayor, a committee of Council members only may be formed. Members of these committees created by the Council will be nominated by the Council, and Mayoral committees will be nominated by the Mayor. All members of either committee will be approved by majority vote of the Council. All meetings of Council member committees will be preceded by public notice and conducted in compliance with the Open Meeting Act.

2. Citizen Committees

By majority vote of the Council or on determination of the Mayor, a committee of citizen members only may be formed. Each council member will by name appoint one citizen who is a bona fide resident of and registered voter in their ward. The Mayor will by name appoint one citizen who is a bona fide resident of the City and a registered voter in the City. Each citizen appointed must remain a resident of and registered voter in the ward from which they were appointed, or in the case of the Mayor's appointment the City, for the duration of their appointment. No alternate may be appointed unless an appointed citizen gives notice he/she will no longer be serving on the committee. In such case, an alternate will be appointed in the same manner and with the same qualifications as the original appointee. All meetings of citizen committees will be preceded by public notice and conducted in compliance with the Open Meeting Act if so directed by the Council when the committee is formed.

3. Council Member/ Citizen Committees

By majority vote of the Council or on determination of the Mayor, a committee of both one or more Council members and citizens of Lawton with specific qualifications to study a particular issue or matter may be formed. Members of these committees will be nominated by name by one or more Council members and approved by majority vote of the Council. Each citizen appointed must remain a bona fide resident of and registered voter in the City for the duration of their appointment. An alternate will be appointed if an appointed citizen gives notice he/she will no longer be serving on the committee. In such case, appointment of an alternate will be in the same manner and with the same qualifications as the original appointee. If more than one Council member is appointed to the committee, all meetings of the committee will be preceded by public notice and conducted in compliance with the Open Meeting Act.

(Charter, 2-6 The City Clerk shall ... serve as clerical officer of the Council. He shall keep the journal for its proceedings, ...)

(All amendments to this document should be coordinated with the City Clerk's Office, who maintains the original document on file.)

(CP 1-6, Amended, 04/09/19, 08/06/2006, 05/11/2004, 08/28/2001, 02/23/1999; 01/12/1999; 11/10/1998; Added, 05/13/1997)